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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/575,710	07/25/2000	Tetsuro Motoyama	5244-0130-2	2720

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EXAMINER

NGUYEN, QUANG N

ART UNIT	PAPER NUMBER
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2141

DATE MAILED: 04/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/575,710

Applicant(s)

MOTOYAMA ET AL.

Examiner

Quang N. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 February 2005.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3,4,6-11,13,14,16-21,23,24 and 26-39 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1,3,4,6-11,13,14,16-21,23,24 and 26-39 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 25 July 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Detailed Action

1. This Office Action is in response to the Amendment filed on 02/02/2005. Claims 1, 9, 11, 19, 21, 29, and 31-33 have been amended. Claims 34-39 have been added as new claims. Claim 1, 3-4, 6-11, 13-14, 16-21, 23-24 and 26-39 remain for examination.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 1, 3-4, 6-8, 11, 13-14, 16-18, 21, 23-24, 26-28 and 31-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Motoyama (US 5,887,216), in view of Hummel, Jr. et al. (US 6,584,454), herein after referred as Hummel.**

4. As to claims 1 and 34, Motoyama teaches:

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a receiver configured to receive the at least one of the device state and the device event of the remotely monitored device (*the monitoring device receives image density information from the monitored device*) (Motoyama, C10: L9-14);

a digital storage system configured to maintain a history of the at least one of the device state and the device event of the remotely monitored device, and a service history of the remotely monitored device (*database contains various information such as service history, malfunctions, and other special conditions and events*) (Motoyama, Figs. 9A – 9C; C10: L4-7 and L35-55); and

an analyzer configured to analyze the service history and the at least one of the device state and the device event of the remotely monitored device to determine a service request to be performed on the remotely monitored device (*in step 410, the monitoring device analyzes received information by comparing it with values in the database and determines that it is appropriate to change the parameters of the remotely monitored device*) (Motoyama, Fig. 8; C10: L14-18).

However, the Motoyama invention does not explicitly teach service depot configured to receive the service request, to analyze the service request, and to contact a user of the remotely monitored device regarding the service request, wherein the service depot is configured to provide preventive and reparative maintenance to the remotely monitored device.

In a related art, Hummel teaches a service depot (*i.e., central service facility 22*) comprising a computer configured to receive service requests from an

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analyzer (*i.e., from the management station 70*) over a Wide Area Network "WAN" and analyze the service requests, and to contact a user of the remotely monitored device regarding the service request (*within each diagnostic system 12, a uniform service platform 90 including a uniform GUI for composing and transmitting service requests, transmitting and receiving service data, establishing network connections, and managing financial or subscriber arrangements, is provided to clinicians and radiologists to facilitate interaction with the service facility 22 via a remote access network 80 such as the Internet*), wherein the service depot is configured to provide preventive and reparative maintenance to the remotely monitored device (*the service facility 22 also includes a bank of operator workstations 86, which maybe staffed by service engineers who address the service requests and provide off- and on-line service to the diagnostic systems in response to the service requests*) (Hummel, Fig. 1 and C5:L64 – C6:L57).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Motoyama and Hummel to have the service request being sent to a service depot (*i.e., the remote service facility 22*), where the service request is analyzed, and then sent to a user of the remotely monitored device because it would allow the service depot efficiently to schedule service engineers to address the service requests and provide off- and on-line service to the remote device in response to the service requests (Hummel, C6: L24-28).

5. As to claim 3, Motoyama-Hummel teaches the system of claim 1, wherein the Wide Area Network comprises the Internet (Hummel, C5:L64 – C6: L12).
6. As to claim 4, Motoyama-Hummel teaches the system of claim 1, further comprising a transmitter configured to transmit the service history to the service depot (*the processing system 84 within the service facility 22 maybe linked to a system of databases including extensive database information on operating parameters, service histories, etc. that maybe employed/accessed by the service facility 22 for servicing of particular diagnostic systems and for tracking such servicing*) (Hummel, C6: L28-38).
7. As to claim 6, Motoyama-Hummel teaches the system of claim 1, wherein the receiver comprises a configuration receiver configured to obtain information from the device over a Wide Area Network (*i.e., over a remote access network 80, the Internet*) (Hummel, C5:L64 – C6: L12).
8. As to claims 7-8, Motoyama-Hummel teaches the system of claim 1, wherein the device comprising a business office machine, such as a copier, a printer, a fax, a scanner, or a thin server (*the monitored devices can be a remote digital copier, facsimile machine, or printer*) (Motoyama, Fig. 1 and C4: L27-31).

9. As per claims 31 and 35, Motoyama-Hummel teaches the system of claim 1, wherein within each diagnostic system 12, a uniform service platform 90 including a GUI for composing and transmitting service requests, transmitting and receiving service data, establishing network connections, and managing financial or subscriber arrangements, is provided to clinicians and radiologists to facilitate interaction with the service facility 22 via a remote access network 80 such as the Internet (Hummel, C6: L44-57).

10. Claims 11, 13-14, 16-18, 32 and 36-37 are corresponding computer program claims of system claims 1, 3-4, 6-8, 31 and 35; therefore, they are rejected under the same rationale.

11. Claims 21, 23-24, 26-28, 33 and 38-39 are corresponding computer-implemented method claims of system claims 1, 3-4, 6-8, 31 and 35; therefore, they are rejected under the same rationale.

12. Claims 9-10, 19-20, and 29-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Motoyama-Hummel, and further in view of Othmer et al. (US 6,167,358), herein after referred as Othmer.

13. As to claims 9-10, Motoyama-Hummel teaches the system of claims 1, but does not explicitly teach the remotely monitored device comprising a mobile unit such as an automobile, a boat, a train or an airplane.

In a related art, Othmer teaches a system for remotely monitoring machines including automobiles (Othmer, C6: L26-35).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include monitoring automobiles, as taught by Othmer, in the modified Motoyama invention because monitoring such machines would allow for the detection of defects and malfunctions (Othmer, C4: L19-34).

14. Claims 19-20 are corresponding computer program claims of system claims 9-10; therefore, they are rejected under the same rationale.

15. Claims 29-30 are corresponding computer-implemented method claims of system claims 9-10; therefore, they are rejected under the same rationale.

Response to Arguments

16. In the remarks, applicant argued in substance that

(A) Prior Arts fail to disclose “a service depot comprising a computer configured to contact a user of the remotely monitored device regarding the service request, wherein the service depot is configured to provide preventive and reparative maintenance to the remotely monitored device”, as claimed in claim 1.

As to point (A), **Hummel** teaches within each diagnostic system 12, a uniform service platform 90 including a uniform GUI for composing and transmitting service requests, transmitting and receiving service data, establishing network connections, and managing financial or subscriber arrangements, is provided to clinicians and radiologists to facilitate interactions with the service facility 22 (*i.e., providing the interactions between the users of the remotely monitored device and the service depot regarding the service requests*) via a remote access network 80 such as the Internet. **Hummel** also teaches the service facility 22 includes a bank of operator workstations 86, which maybe staffed by service engineers who address the service requests and provide off- and on-line service to the diagnostic systems in response to the service requests (*i.e., wherein the service depot is configured to provide preventive and reparative maintenance to the remotely monitored device*) (**Hummel, Fig. 1 and C5:L64 – C6:L57**).

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17. Applicant's arguments as well as request for reconsideration filed on 02/02/2005 have been fully considered but they are not deemed to be persuasive.

18. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quang N. Nguyen whose telephone number is (571) 272-3886.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's SPE, Rupal Dharia, can be reached at (571) 272-3880. The fax phone number for the organization is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


RUPAL DHARIA
SUPERVISORY PATENT EXAMINER